

AGENDA MEMO

CITY COUNCIL MEETING DATE: SEPTEMBER 5, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SUP-22488 - APPLICANT/OWNER: THE HOWARD HUGHES CORPORATION

**** CONDITIONS ****

The Planning Commission (5-0 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. Conformance to the conditions for Rezoning (Z-119-96) and Site Development Plan Review (SV-0018-01) if approved.
2. This approval shall be void one year from the date of final approval, unless a business license has been issued to conduct the activity, if required, or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. Approval of this Special Use Permit does not constitute approval of a liquor license.
4. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.
5. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This request is for a Special Use Permit for to allow a Beer/Wine/Cooler Establishment on-sale in conjunction with a 2,280 square foot (Seating for 57) restaurant at 11710 West Charleston Boulevard, Building C – Suite 150, located within a commercial subdivision in Summerlin. The applicant wishes to establish a family style pizzeria restaurant in this area.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
02/09/1998	The City Council approved a Site Development Plan Review (SV-0042-97) application on property located on the northwest corner of the proposed Western Beltway, and Charleston Boulevard for the proposed development of Summerlin Village 20. The Planning Commission recommended approval on 12/18/97.
02/12/1998	The Planning Commission approved a Tentative Map (TM-0002-98) application for 39 lots on 815.70 acres on property located north of Charleston Boulevard, south of Far Hills Avenue, and west of the proposed western Beltway (Village 20 of the Summerlin Master Plan).
07/10/2000	The City Referral Group approved a Minor Modification (SV-0012-00) application to amend the Vistas Village 20 at Summerlin on property located at the northwest corner of the proposed western beltway and Charleston Boulevard from MF2 and SF3 to VC and from SF3 to VC.
01/13/2005	The Planning Commission approved a Tentative Map (TMP-5708) application Map for a two lot commercial subdivision on 11.21 acres adjacent to the northeast corner of Desert Foothills Drive and Charleston Boulevard.
05/25/2005	The City Referral Group approved a Site Development Plan Review (CRG-6661) for a proposed 56,000 square-foot grocery store adjacent to the northeast corner of Charleston Boulevard and Desert Foothills Drive.
07/06/2005	The City Council approved a Special Use Permit (SUP-6500) for a proposed liquor store adjacent to the northeast corner of Charleston Boulevard and Desert Foothills Drive.
03/07/2007	The City Council approved a request for a Special Use (SUP-18910) Permit for a liquor store in conjunction with an approved convenience store with fuel pumps on 0.91 acres on the east side of Desert Foothills Drive approximately 280 feet north of Charleston Boulevard.
07/26/2007	The Planning Commission voted 5-0 to recommend APPROVAL (PC Agenda Item #9/lhm).

<i>Related Building Permits/Business Licenses</i>	
11/13/2006	Shell Building C - Permit 6002847
11/13/2006	Special Inspection for Shell Bldg C – Permit 6002847
06/22/2007	On-Sites – Hardscapes - Permit 7002048
05/11/2007	Mark Richs NY Pizza – L09-93140 – License Pending SUP-22488
05/11/2007	Mark Richs NY Pizza – R09-93141 – License Pending SUP-22488
<i>Pre-Application Meeting</i>	
05/30/2007	A pre-application conference was held and resulted in the following comments: Located in Summerlin - site is under the VC (Village Center) special land use designation; Special Use Permit is required for Beer/Wine On Premise sales; no separation distance requirement is applied as the property is within Summerlin; property is on Charleston Boulevard, a 100-foot right-of-way; explained submittal requirements.
<i>Neighborhood Meeting</i>	
N/A	A neighborhood meeting is not required for this type of application, nor was one held.

<i>Field Check</i>	
07/02/2007	Shopping center, portions under construction.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	11.2

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Shopping Center	VC(Village Commercial)	PC(Planned Community)
North	Single Family Residential	SUM	PC(Planned Community)
South	Clark County	Clark County	PC(Planned Community)
East	Single Family Residential	SUM	PC(Planned Community)
West	Single Family Residential	SUM	PC(Planned Community)

General Plan Compliance

The subject site is being developed as part of the Summerlin Master Plan. The commercial center is designated as a P-C (Planned Community) zone, which is in conformance with the Summerlin Master Plan. In addition, the subject site is designate VC (Village Center) within the Village 20 of the Summerlin Master Plan. The proposed use is permitted within the VC (Village Center) special land use designation by means of a special use permit.

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan			
Summerlin	X		Y
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts		X	
P-C (Planned Community) District	X		Y
Trails	X		Y
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance	X		Y

An eight-foot wide street side trail is located along the Charleston Boulevard and Desert Foothills Drive right-of-way alignments.

DEVELOPMENT STANDARDS

Pursuant to Title 19.10, the following parking standards apply:

In addition to Table 19-12, the following parking standards apply:

Parking Requirement							
Use	Gross Floor Area or Number of Units	Required		Provided		Compliance	
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular		Handi-capped
Restaurant 2000 sq ft or more (w/o Drive Through)	2,280 sq ft	1 space per 50 sf of public seating and waiting area plus 1 sp per 200 sf of remaining Gfa – Min 10 spaces.	40	2	473	21	Y
SubTotal			40	2	473	21	Y
TOTAL			40		473		Y

ANALYSIS

The Summerlin Master Plan depicts the subject property as having a VC (Village Center) land use designation. The Village Center (VC) will allow a mix of land uses including multi-family residential uses and commercial, cultural, recreational and meeting facilities that provide most of daily and weekly support services and activities for a village or a combination of villages. A Village Center may include a grocery store, a drugstore and the supporting commercial uses (retail, service and convenience) residents require on a regular basis.

This request is to allow the on-premise sale of Beer/Wine/Coolers for a restaurant being established within a commercial shopping center in Summerlin. Consisting of a total of 2,280 square feet, the dining area shown on the submitted floor plan provides seating for approximately 60 customers inside the space and an area in front of the store for outdoor seating. Counter seating is provided in front of the pizza ovens for patrons to view the cooking process. Take out and delivery service is offered, Beer/Wine/Cooler sales will be provided for dine-in guests only.

FINDINGS

In order to approve a Special Use Permit application, per Title 19.18.060 the Planning Commission and City Council must affirm the following:

1. **“The proposed land use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses, and with future surrounding land uses as projected by the General Plan.”**

The project is compatible with the Summerlin land use designation and is located within a developing commercial center where a substantial concentration of major commercial development is to occur. Beer/Wine/Cooler On Sale within an dining establishment as an accessory use to the restaurant and is compatible with other uses located within the commercial center.

2. **“The subject site is physically suitable for the type and intensity of land use proposed.”**

The subject site is physically suitable for the type and intensity of land use proposed. The addition Beer/Wine/Cooler On Sale is an appropriate use within a restaurant.

3. **“Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed use.”**

The restaurant will be accessed solely through the Vista Commons commercial site with access from Charleston Boulevard, a Primary (100-foot) Arterial and Desert Foothills Road (Summerlin 80-foot Arterial). These roads have adequate capacity to serve the proposed development. The project will not have any negative traffic impact on residential neighborhoods in the area.

4. **“Approval of the Special Use Permit at the site in question will not be inconsistent with or compromise the public health, safety, and welfare or the overall objectives of the General Plan.”**

The public health, safety, and welfare and the objectives of the General Plan would not be compromised as a result of the approval of a Special Use Permit, because the proposed use would be subject to inspections for a Certificate of Occupancy and that of Business Services.

5. The use meets all of the applicable conditions per Title 19.04.

The use is accessory to a dining establishment within a commercial center. All the applicable conditions have been met and will not affect **the public health, safety and general welfare.**”

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

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ASSEMBLY DISTRICT 13

SENATE DISTRICT 9

NOTICES MAILED 1017 by City Clerk

APPROVALS 3

PROTESTS 11